

RESTRICTED
DEPARTMENT OF STATE

Memorandum of Conversation

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DATE: October 28, 1952

SUBJECT: Proposed Senate Reservation to FCN Treaties with respect to Practice of Professions.

PARTICIPANTS: Mr. Austin Foster, Chairman, Treaty Committee,
National Foreign Trade Council;
Chief Counsel, SOCONY-VAC Oil Company,
V. G. Setser - CP/ET
Herman Walker - CP/ET

COPIES TO: H - Miss Kirlin
L/E - Mr. Metzger
CP - Mr. Corse
CP - Mr. Weiss

Mr. Foster called in response to a request from CP officers for a conference on the above subject. The developments with regard to the treaties before the Senate at the last session were explained to him and he was also informed of the action taken by the Institute of American Accountants endorsing the Department's policy with respect to the professions provision and also the views expressed by the American Chamber of Commerce in Tokyo in support of the members of the American legal colony in Japan.

Mr. Foster said that he had long felt strongly that the legal profession should not be covered by any treaty provision that would authorize aliens to practice in this country. He said he thought that most lawyers would feel the same way. He said that as a lawyer he liked to think that his profession stood on a little different plane from that of others, that lawyers were officers of the court and that aliens should not be permitted to attain this position. He said that he considered the maintenance of this position of the legal profession more important than the protection of the small group of lawyers who had established a practice in Tokyo. He admitted that his position was grounded wholly on theoretical considerations, but he thought he would maintain it regardless of the fact that few, if any, alien lawyers could, as a practical matter, qualify for practice in the U.S.

DEPARTMENT OF STATE A/CDC/MR

REVIEWED BY W. D. [signature]

DATE 9-20-82

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EXS ☐ EXT. DATE

REASON(S)

ENDORSE EXISTING MARKINGS ☐

DECLASSIFIED ☐ RELEASABLE ☒

RELEASE DENIED ☐

PA or FOI EXEMPTIONS

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Mr. Foster said that with regard to other professions he agreed with the position of the Department and thought that it would be a good thing to remove by treaty the disabilities under which aliens might suffer in this country and Americans in foreign countries. He said that he thought he had a means of approaching Senator Hickenlooper with regard to this matter and that, if the Department officers wished it, he would arrange to talk with the Senator about the matter. He was informed that the view was held in the Department that groups that might have an interest in the matter should be informed in order that they might take whatever action they thought appropriate and that it would probably be a good thing for Senator Hickenlooper to learn of the views of the members of the National Foreign Trade Council.

EDT:CP:VGSetser:er 10/28/52

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